

**UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:09cv193-RJC-DCK**

<b>SYLVIA JACKSON,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>ORDER</b>
	)	
<b>MICHAEL J. ASTRUE,</b>	)	
Commissioner of Social Security,	)	
	)	
<b>Defendant.</b>	)	
_____	)	

**THIS MATTER** is before the Court on the parties’ motions for summary judgment (Doc. Nos. 11 and 17), the Magistrate Judge’s Memorandum and Recommendation (“M&R”) (Doc. No. 19), and the plaintiff’s objections (Doc. No. 21).

**I. BACKGROUND**

Neither party has objected to the Magistrate Judge’s statement of the factual and procedural background of this case, and the Court thus adopts the facts as set forth in the M&R.

**II. STANDARD OF REVIEW**

The Federal Magistrate Act provides that “a district court shall make a de novo determination of those portions of the report or specific proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); Camby v. Davis, 718 F.2d 198, 200 (4th Cir.1983). “By contrast, in the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note). Similarly, de novo review is not required by the statute “when a party makes general or conclusory objections that do not direct

the court to a specific error in the magistrate judge's proposed findings and recommendations." Id.

Moreover, the statute does not on its face require any review at all of issues that are not the subject of an objection. Thomas v. Arn, 474 U.S. 140, 149 (1985); Camby, 718 F.2d at 200. Nonetheless, a district judge is responsible for the final determination and outcome of the case, and accordingly the Court has conducted a careful review of the Magistrate Judge's M&R.

### III. DISCUSSION

Jackson filed a timely objection to the M&R, but it solely consists of "general or conclusory objections that do not direct the court to a specific error in the magistrate judge's proposed findings and recommendations." Diamond, 416 F.3d at 315. The Court thus reviews the M&R for clear error.

After a careful review of the record in this case, the Court finds that the Magistrate Judge's recommendations are consistent with and supported by the law. Therefore, the Court hereby adopts the M&R of the Magistrate Judge as the final decision of this Court for all purposes in this case.


### IV. CONCLUSION

**IT IS, THEREFORE, ORDERED** that:

1. Plaintiff's motion for summary judgment (Doc. No. 11) is **DENIED**;
2. the Commissioner's motion for summary judgment (Doc. No. 17) is **GRANTED**;
3. the Commissioner's determination is **AFFIRMED**.

**SO ORDERED.**

Signed: October 21, 2010

  
Robert J. Conrad, Jr.  
Chief United States District Judge 